

Recommendation Report for Planning Permission

REF NO: WA/86/19/PL

LOCATION: Walberton Baptist Church
The Street
Walberton
BN18 0PG

PROPOSAL: Variation of condition imposed on planning reference WA/54/17/PL relating to condition No.4 - alternative surface water drainage scheme - This application may affect the character & appearance of the Walberton Village Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks amendments to an earlier approval M/54/17/PL, relating to the surface water scheme.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The application property is open to the front. To the side there is a wall and gate approximately 2.4m high. The application property is constructed of brick/ flint beneath a slate roof.
SITE CHARACTERISTICS	The property is a detached chapel building set on a modest plot. There is a small open area to the rear of the front wall at the side of the chapel.
CHARACTER OF LOCALITY	The area is mixed albeit primarily residential comprising various building sizes and designs. A new residential scheme is being built to the rear of the site.

RELEVANT SITE HISTORY

WA/54/17/PL	Single storey side extension to form new entrance lobby & disabled WC facilities. This application affects the character & appearance of the Walberton Village Conservation Area.	ApproveConditionally 17-01-18
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WA/54/17/PL granted consent for the extension of the building to form a new entrance lobby and disabled WC facilities. The permission is valid for 3 years and expires on 18-01-2021.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council
Parish Council - No objection.

C.A.A.C - No objection.

No representations received from occupiers of nearby dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Southern Water Planning
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Drainage & Coastal Engineer - No objection.
- Having met with the applicant on site, it is considered that the proposed drainage strategy is the only solution that will not increase flood risk.
- Please condition drainage so that it is built in accordance with the proposed ground floor plan (Rev. D) and the extension detail plan of the rainwater butt.

Southern Water - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:
Walberton Conservation Area
Within Built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

WSP1 W SP1 Water

[Walberton Neighbourhood Plan Policy 2017 VE7](#) Surface Water Management

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Walberton Parish has a 'made' neighbourhood development plan, of which, Policy VE7 has been taken into account during the determination of the application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the surface water drainage of the site.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The proposed seeks amendments to the surface water scheme, to the permission for the single storey side extension. The extension of the building has already been approved. Consideration of this application is therefore limited to the surface water drainage of the site only.

SURFACE WATER DRAINAGE

Following the comments from the Drainage Officer, is it considered that the proposed surface water scheme would be acceptable, and that the proposal would result in betterment over the current situation.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human

Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

- Site Block Plan - 27/02/2017
- Proposed Ground Floor Plan - 15/08/2019 - Rev. D
- Proposed Elevations Plans - 16/08/2019 - Rev. D
- Extension Details Plans - Extension - Typical Rainwater Butt arrangement acting as Attenuation Device

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 2 The surface water drainage scheme, detailed in the following plans, must be implemented in accordance with said plans, and permanently retained in good working order thereafter. The approved plans and details are:

- Proposed Ground Floor Plan - 15/08/2019 - Rev. D
- Extension Details Plans - Extension - Typical Rainwater Butt arrangement acting as Attenuation Device

Reason: For the avoidance of doubt and in the interests of amenity, the environment, and flood risk in accordance with policy W SP1 of the Arun Local Plan.

- 3 **INFORMATIVE:** This permission relates to the variation of Condition 4 of planning permission WA/54/17/PL, in that it has been superseded by Condition 2 of this application. Condition 1 of this application replaces Condition 2 of WA/54/17/PL. The applicant is advised and reminded that the planning conditions attached to the original planning permission, WA/54/17/PL remain in force and must be complied with. This decision only relates to the variation of Conditions 2 & 4 of that planning permission.

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning

(Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.